

PRESIDENT DUTCHER SERVED WITH PAPERS IN THE JOURNAL SUIT.

MR. COLER INDORSSES THE JOURNAL'S ACTION.

I am in hearty accord with the Journal in its action to secure the dissolution of the Ramapo Company's charter and shall be glad to help on the work.

As I have said before, the Ramapo charter is plainly unconstitutional. The privileges it accords are monstrous. That such a measure could have passed the Legislature is proof that the people in whose favor it was drawn had powerful friends at court.

The effort to award the contract in the Board of Public Improvements was equally audacious.

The action of the Journal, in taking steps to destroy the company, strikes at the root of the whole matter. To take away this shameful charter is apparently the only way to prevent the recurrence of the grab. That measure, I believe, will be killed. Public sentiment will compel its defeat, but the company should be deprived of its power to perpetrate the steal.—*Comptroller Bird S. Coler, to a Journal reporter.*

on Wednesday, when Attorney-General Davies will be asked to bring action to annul the charter of the Ramapo Company and end its corporate existence on the ground of many violations of law.

There seemed to be a conference on the part of those interested in the Ramapo Company and its ramifications in the Hudson River counties. Mr. Lauterbach was the leading spirit. How to defeat the Journal's movement was the burning question under discussion.

Mr. Lauterbach was not the supercilious, affable gentleman of other days. He had no glad-hand of greeting. He was nervous, irritable, even ill-tempered. His talk was brief and brusque. A pinched, worried look marred his countenance.

"I won't be interviewed," he replied roughly to questions. "I am here on professional business and I won't talk on any subject." Then he turned abruptly away.

Attorney-General Davies' office was Mr. Lauterbach's first stopping place in the Capitol. The Attorney-General, who is to decide the Journal's motion to kill the Ramapo corporation, is out of town. Mr. Lauterbach was disappointed. He showed his emotion by the wrinkling of his brow and the ejaculation: "Too bad." He left the office with head bowed, thinking.

Lou Payn's office was the next stopping place. There an insurance hearing was on.

"Are you counsel for the company?" Mr. Lauterbach was asked. No answer.

"Are you up on Ramapo Company business?" "I am here on professional business. I won't be interviewed," was the snappy reply.

With Superintendent Payn Mr. Lauterbach had a long talk. Neither would tell the nature of it. The close-mouthed office force was as non-committal as ever.

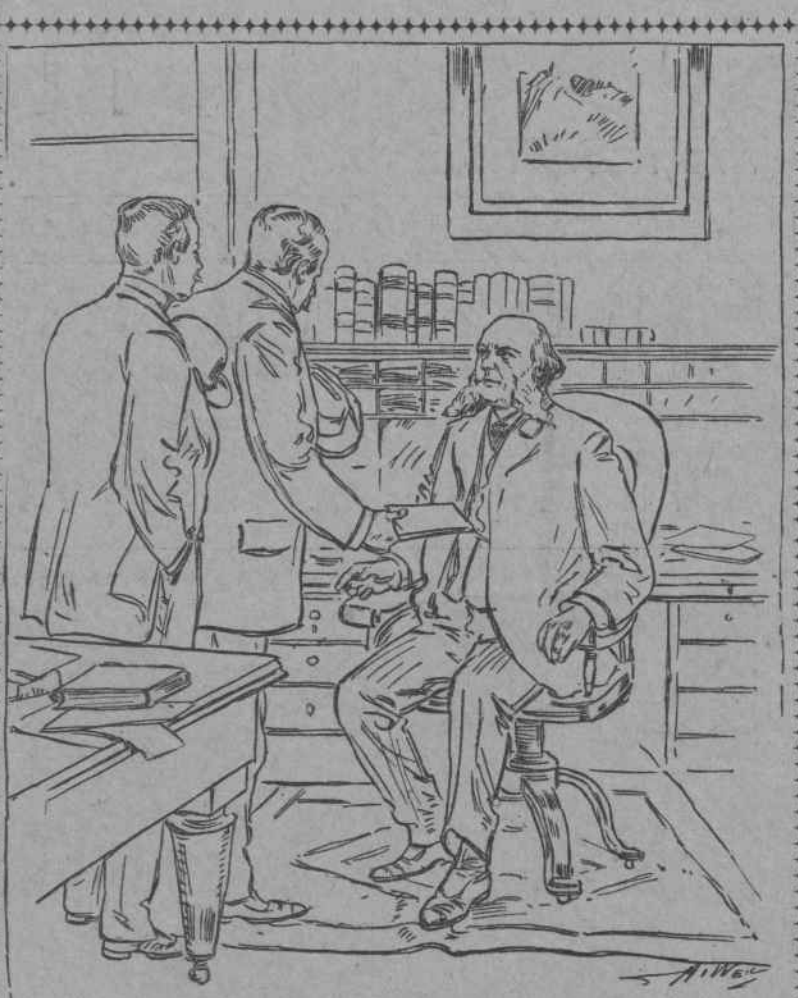
The purport of Mr. Lauterbach's visit to the Attorney-General is not difficult to determine. Mr. Lauterbach is one of the most persuasive lawyers in New York. The Attorney-General holds the future of the Ramapo Company in his hands.

The Attorney-General has been quoted as saying he was on the people's side in the Ramapo water question. Mr. Lauterbach has not seen him to-day. The Attorney-General will not return until Monday.

Superintendent Payn has a water company of his own. He has a company, which, with a nucleus in Rensselaer and Columbia counties, along Kinderhook Creek, and has power to go over the whole State just like the Ramapo Company.

In the event of the Ramapo scheme ever going through it would have need of the Payn Company, as it has control of the Greene and Ulster County watersheds. The Ramapo interests and Payn's are somewhat in common.

Mr. Lauterbach's visit, his disappointment at not seeing the Attorney-General, and the long conference with Superintendent Payn, have caused great gossip about the Capitol. There is not much doubt that Ramapo was the greatest burden on Mr. Lauterbach's mind.



President Dutcher Receiving Summons from the Journal.

PAPERS SERVED ON DALTON CAUGHT IN HIS OWN NET.

Ramapo Company's President Blandly Accepts Them. Nulled by Recent Report.

In pursuance of the procedure prescribed by law papers were served yesterday morning upon Silas B. Dutcher in the action instituted by the Journal looking to the dissolution of the Ramapo grab company. Mr. Dutcher is the vigorous and complacent old politician who was selected on forty-eight hours' notice to serve as president of the Ramapo concern, when Benjamin F. Tracy resigned the job to run as Platt's candidate for Mayor.

He smiled yesterday when the papers in the action to put an end to the Ramapo concern were presented to him. He was blind, affable and fatherly.

President Dutcher wears flowing side whiskers, which lend an appearance of benignity to a rather pleasing countenance. He has small, twinkling eyes, a big nose and a large, forcible mouth. The upper lip, broad and full, is clean-shaven.

He was seated at his desk when the process server and a Journal reporter entered the office. There was no formality about obtaining admission into Mr. Dutcher's office. The place is wide open. Newsboys, politicians, bootblack and booker equally are admitted, whether they have Ramapo certificates or not.

"Then, swinging around on his chair, he inquired in the most benign of voices, 'What can I do for you?'"

President Dutcher twice perused the legal document from beginning to end. His jaws worked ceaselessly. At last he looked at the mystified process server over the top edge of his spectacles, and smilingly said:

"All right, sir. I acknowledge the service of these papers. Good morning." The indication of that "Good morning" was like balm. Mr. Dutcher's very accents were benediction. His speech, short and last, was larded with the bee-hive at the close of summer time.

Dalton, Commissioner of Water Supply, is hoist on his own petard.

Leagueed with Holahan in the effort to pass the Ramapo steal through the Board of Public Works, he advanced in justification of his cause a report degrading the present supply of water, and urging that there was immediate need of a greater one, such, of course, as the Ramapo jobbers declare they are prepared to furnish.

This report of Dalton's, which was adopted and presented by him, was in reality the work of the Ramapo company's lawyers, was the principal ground for the efforts of Holahan and his merry men to award the \$200,000,000 contract.

But now, and in the best of season, Dalton is conclusively contradicted out of his own office.

His official report, compiled by the engineers of the Water Department, gives the lie to the declaration made as a ground for his vote in favor of Ramapo.

New York is not threatened with a water famine. Here is what Commissioner Dalton's real official report says:

"The flow of the streams has not only been sufficient to supply all the needs of the city, but also to fill all the storage reservoirs to high-water mark, and to allow a surplus of 61,250,000 gallons (average 680,000,000 gallons per day), to run over the Croton dam."

The flow of the city being in danger without the Ramapo \$200,000,000 supply, there was wasted from the Croton sources during the quarter ending March 31, 1899, 60,000,000 gallons of water a day, while the daily supply used was about 200,000,000 gallons.

When Comptroller Coler saw the report

THE JOURNAL'S VIGILANCE COMMITTEE.

WILLIAM C. WHITNEY, former Secretary of the Navy.
THOMAS A. FULTON, Secretary Citizens' Union.
GEORGE DOAN RUSSELL, President Young Men's League, of Brooklyn.
CLARENCE DASHLEY, Dean of New York University Law School.
BERTRAM T. CLAYTON, former Congressman, Colonel Forty-seventh Regiment.
S. STANWOOD MENKEN, politician, lawyer and reformer.
CLARENCE L. BARBER, lawyer and reformer.
WILLIAM ASTOR CHANLER, lawyer, scholar and reformer.
GERSON SIEGEL, merchant, member of the firm of Siegel-Cooper Co.
RICHARD DEEVES, builder, reformer and politician.
FREDERICK F. AMES, broker and reformer.
EVERETT P. WHEELER, of the New York Bar Association.
L. J. CALLANAN, merchant and former member of the Committee of Seventy.
WILLIAM J. O'BRIEN, Chairman of the Independent Labor Party.
JOHN N. PARSONS, General Master Workmen Knights of Labor.
SIMON STERNE, anti-monopoly lawyer.

DR. WILLIAM E. S. FALES, former Consul to Amoy, China.
WOODBURY LANGDON, merchant and bank director.
SAMUEL PRINCE, President of the New York Central Federated Union.
PETER B. OLNEY, lawyer.
WILLIAM C. DE WITT, Brooklyn lawyer and Democrat.
JOHN PHILLIPS, President Brooklyn Central Labor Union.
JOHN C. CLARK, leading member of the Citizens' Union.
ISAAC H. KLEIN, Chairman of Committee on Organization of the Citizens' Union.
THEODORE W. MYERS, financier and former Comptroller of the City of New York.
ABRAM S. HEWITT, former Congressman and Mayor of New York.
WILLIAM H. WEBB, reformer and member of the Committee of Seventy.
RICHARD V. HARNETT, real estate dealer and man of affairs.
MARCUS A. CARLEY, stock broker and reformer.
THEODORE SUTRO, former Commissioner of Taxes and Assessments.
EDWARD B. JORDAN, prominent Brooklyn politician and public man.
LAWSON N. FULLER, lawyer; active in many movements for city improvement.

TRACY WORKED FOR COURTS SAYS IT IS THE RAMAPO BILL. CHARTER'S JOKER.

Colonel Ashley W. Cole Justice Gaynor Says It Is Says He Asked Morton to Sign It. Lamentable, but Only Too True.

Albany, Aug. 25.—Information was obtained to-day that General Benjamin F. Tracy was the advocate who obtained Governor Morton's approval of the bill of 1895 which so greatly increased the powers of the Ramapo Water Company.

Colonel Ashley W. Cole, president of the State Railroad Commission, who was private secretary to Governor Morton, when asked to-day about the circumstances under which the Ramapo bill was signed by Governor Morton, said:

"Not much interest was taken in the Ramapo plan then. It was thought to be chimerical. I believe there was no hearing on the bill, but my recollection is that General Benjamin F. Tracy either wrote a letter favoring the bill or spoke to the Governor about it."

Lost Captain in Hurricane.
 Newport News, Va., Aug. 25.—The schooner Oscar C. Smith arrived here to-day bearing news of her struggle with the recent hurricane which swept up the Atlantic Coast. She ran into the southeast of Cape Hatteras. On August 14, Mate Othello says, the wind blew at the rate of 100 miles an hour. The schooner was wrecked on a reef giving orders a heavy sea washed him overboard and in spite of the efforts of the crew he was lost.

Boy Dies in a Sewer Basin.
 Little Charlie Haupt, the two and a half year old son of Charles Haupt, of Newark, N. J., was found dead in a sewer basin at the corner of Brill and Bowery streets, yesterday morning. He had wandered from his home at 100 West 10th street and had fallen through the opening in the curb side of the top stone, where he had been sitting.

Head's Victim on a Cool Day.
 James T. Smith, sixty-seven years old, of No. 238 West Sixty-first street, was overcome by the heat yesterday at Fifty-seventh street and Seventh avenue. He was taken to Roosevelt Hospital. He will survive.

PRESIDENT DUTCHER, OF RAMAPO COMPANY, REPLIES TO COMPTROLLER COLER.

Points Out Precedent for Giving the Water Contract to a Private Company and Shifts Responsibility Upon Petitioner.

SILAS B. DUTCHER, President of the Ramapo Water Company, issued the following reply yesterday to the inquiries of the City Comptroller:

Brooklyn, N. Y., Aug. 25, 1899.

Bird S. Coler, Comptroller.

Dear Sir: You ask upon what the offer of the Ramapo Water Company to furnish water to the City of New York is based. The company will be glad to give you any information relative to its affairs that it is proper for you to ask, or that may be required for the purpose of any examination necessary to be made in behalf of the city.

The company's chief engineer was instructed upon the receipt of your letter to confer with your engineers and to add them in making an examination of our watersheds and plans. He will go over the watersheds with them, if they request it, for that purpose.

Appeals for "The Truth."
 We fully appreciate and respect the desire of every officer of the city government whose duty it is to act upon our proposal to obtain whatever information may be necessary; we only ask that the search for information shall be made in good faith, and to ascertain the truth and the whole truth, and that it be not a hunt to discover or an effort to make up facts to vindicate a judgment already formed, and to fortify a position already unalterably assumed.

It is for the interest of the city to accept the offer of the company and it is not. If the latter, it should be so stated. If the former, the proposition should be passed upon temperately and upon its merits. A fair and unbiased investigation will include an impartial examination of the petitions and presentations of citizens, and the official reports upon the subject, which are on record with the Board of Public Improvements, and with which you should be familiar.

Basis of the Offer.
 The offer made by the company is based upon the demand of more than twelve hundred property owners and taxpayers of this city—merchants, banks, bankers, real estate men, hotel keepers, insurance men and others, representing hundreds of millions

'TWOULD BE SO EASY FOR THE TAXPAYERS.

As the city is not asked to incur any obligation except to pay for the water when it is delivered, and as the construction of the works will be the best security the city can receive, and as the company will forfeit the amount of its bond to the city if it does not construct the works, it should not be necessary for the company to make a public exposition of its financial affairs.—FROM PRESIDENT DUTCHER'S STATEMENT.

city to act upon this demand of its citizens and taxpayers is fully set forth in the memorial and petitions presented to the Board of Public Improvements fourteen months ago, as above referred to.

The Ramapo Water Company was organized to enable the city to obtain such a water supply without increasing its burden.

The company has offered to furnish such a supply, and has secured and has vested in it all the rights necessary to do so; but it has not asked and it has not expected the city to accept its proposal unless the officers charged with that duty determined it to be for the best interest of the city. That is, and will continue to be, our position.

Necessity for More Water.

The necessity that provision shall be made at once for an increased water supply is shown by the official reports, and has been fully realized by the public during the recent dry season.

The newspapers have repeatedly called upon the city authorities to provide more and better water. Column after column has been published in denunciation of the present supply, both on account of its lack of pressure and bad quality, the Croton being described as deficient in quantity and offensive in color, taste and smell; while in Brooklyn many families do not drink the water under the advice of physicians, who have ascribed the occurrence of typhoid fever to its use. In both Manhattan and Brooklyn the water is drawn, to a very large extent, from tanks, into which it must first be pumped, and which are frequently filthy and dangerous to health, more especially among the poor in the tenement house districts.

The newspapers and their readers have protested against these conditions for

POINTS PROUDLY TO PETITIONERS' NAMES.

The company has no debts or liabilities. All its obligations have been paid as they accrued. Its capital stock is \$2,500,000.

The names signed to the petitions presented to the Board of Public Improvements asking that the contract be made should afford a sufficient guarantee that all the capital necessary for the work will be provided.—FROM PRESIDENT DUTCHER'S STATEMENT.

years.

The fearful danger of a fire in this city, like that of Chicago, in which the greater in value than the entire assets of all the insurance companies in the world might be destroyed, with the accompanying loss of life, because of the lack of water under sufficient pressure and the consequent dependence on pumps, is fully demonstrated by the statement of insurance men referred to.

The awful calamity of the Windsor Hotel fire, and the failure to get water to the upper part of the Home Insurance Building, when it was burned, are not forgotten.

A Low Water Pressure.

The water pressure in New York, as shown by the Board of Fire Underwriters, is lower than in any other large city in the United States; it is the lowest on a list of three hundred cities, towns and villages; and the quantity used in New York per capita is less than it is in Philadelphia, Chicago, Cincinnati, Detroit, Pittsburgh, Richmond, Albany, Bridgeport, Portland and other cities. The underwriters have a list of some thirty cities using a greater quantity of water per capita than New York.

As shown by the official reports, the consumption of water in Brooklyn already exceeds the dry year limit of supply, and it is very nearly reached in Manhattan and Bronx.

For many years New York has taken water by contract from the city of Yonkers, and pays for it thirteen cents per hundred cubic feet, which amounts to \$173 a million gallons, and sells it to the people for twenty cents per one hundred cubic feet, or \$207 a million gallons, and I understand that there are eleven private companies now selling water to the city or directly to householders within the city limits.

PRECEDENTS FOR A PRIVATE CONTRACT.

The objection to obtaining water by contract with a private company has no force in this instance, as our leading business men, property owners and taxpayers have asked that it shall be done, and petitioned the Legislature to enact a law permitting it to be done. New York City is now having, as said, a number of contracts with private water companies.—FROM PRESIDENT DUTCHER'S STATEMENT.

its. The city has, I am informed, twenty-one contracts with these companies, some of them of long standing.

"Leading Men" Ask It.

The objection to obtaining water by contract with a private company has no force in this instance, as our leading business men, property owners and taxpayers have asked that it shall be done, and petitioned the Legislature to enact a law permitting it to be done. New York City is now having, as said, a number of contracts with private water companies.

The Ramapo Water Company will deliver water to the city for less than its water now costs the city, and the city will supply it to the people, through its present water boards, and will get for it at present rates more than it will pay, as shown by the report of the Commissioner of Water Supply.

To build the works necessary to supply what the company will furnish will cost, as estimated by the city's engineer, from \$70,000,000 to \$100,000,000. It might cost more. The city's engineers estimated that the new Croton aqueduct and reservoirs would cost \$10,000,000. They have already cost \$38,000,000. The Ramapo Water Company's pipe lines will be about three times the length of the Croton aqueduct.

The company is ready to proceed with the construction of the necessary works the day after the contract is made.

City Not Prepared.

The city is not prepared to construct such works, and could not be for some time to come; and to do so it must increase its debt to an amount far above the constitutional limit to the exclusion of all other public works until the increase was paid. And the amount, whatever it might be, must be paid, principal and interest, out of

Declines to Produce the Company's Plans and Reports for Public Scrutiny—Claims Concern Is Financially Sound.

the tax levy, within twenty years. The question to be determined by the city officials charged with that duty is: Shall the city build the necessary water works, adding their cost to its debt, or shall it obtain the required supply by contract, without expending a dollar, or incurring any liability or debt whatever?

The question of cost of distribution within the city limits does not enter into the matter, as that would be the same in either case. It is a simple business proposition. If the city determines to contract for an additional water supply, the company stands ready to furnish it.

What is necessary or best for the city to do is for its officers to decide. Our proposal was submitted seventeen months ago, and a full and public presentation of the whole subject was made by the Board of Underwriters to the Board of Public Improvements, as stated, fourteen months ago. Since that time we have awaited the acceptance or rejection of our offer.

"Responsibility Not Ours."
 The responsibility is not ours. It rests with the Commissioner of Water Supply and the Board of Public Improvements. What is best to be done to meet the demand for a future and adequate water supply for our great city is for them to determine.

You ask to be informed as to the financial ability of the company. Its capital stock, bonded debt, assets and liabilities. The company has no debts or liabilities. All its obligations have been paid as they accrued. Its capital stock is \$2,500,000. Its financial ability is sufficient to enable it to meet its obligations under the proposed contract, as stated, fourteen months ago. The company's engineers estimated that the new Croton aqueduct and reservoirs would cost \$10,000,000. They have already cost \$38,000,000. The Ramapo Water Company's pipe lines will be about three times the length of the Croton aqueduct.

The company is ready to proceed with the construction of the necessary works the day after the contract is made.

Same Power as Railroads.
 The company has the same powers that are conferred by law upon railroad companies.

panies to secure property needed for its purposes. It has done so in the case of the proposed contract. It has expended a large amount of money in surveys and plans, and in the construction of the water sheds, where it has vested interests, and has secured all the property and rights necessary to proceed with the construction of its works at once. You ask for copies of all maps made as a result of its surveys for the proposed contract. Our proposal is to furnish 200,000,000 gallons of water per day. There are forty-four maps covering the Esopus and Catskill watersheds, in Ulster and Greene counties, which sheds will yield a supply of 500,000,000 gallons daily, no part of which would be drawn from reservoirs less than 100 feet above tide, as specified in the proposed contract. These maps are filed, as required by law, in those counties, where they are a part of the public records. It is not practicable to give you copies of them, but our chief engineer will give your engineers all desired information.

Declines to Show Reports.
 These plans and reports are too voluminous to be copied; and they are the private property of the company. They should not go out of its possession or be made a part of the public records. As the city will not have any responsibility for the work and cannot be involved in any loss on account of it, it is not necessary for your engineers to pass upon our plans.

Our chief engineer will, however, give your engineers any direct relating to them that can be properly made public; which will be, I believe, all the information in relation to our plans that you will think it necessary to have.

The estimates of our engineers made for the company as to the cost of construction are also on private property. The capital is ready to construct the works without risk or liability, or the expenditure of a dollar by the city, which cannot incur any loss. And every dollar expended in construction by the company will be so much additional security for the performance of our contract. Very truly yours, SILAS B. DUTCHER.